

STATE OF DELAWARE )  
 )  
 v. ) ID No. 0411003978  
 )  
 ANTOINE COOPER, )  
 )  
 Defendant. )

Upon consideration of the Defendant's Motion for Postconviction Relief, the Commissioner's Report and the record in this case, it appears that:

1. On June 29, 2005, defendant pled guilty to three Robbery First Degree charges and was sentenced on September 9, 2005. The sentence imposed involved mandatory time. Defendant did not take a direct appeal of his conviction to the Delaware Supreme Court.

2. On November 2, 2009, defendant file a Motion for Postconviction Relief pursuant to Superior Court Criminal Rule 61.

3. This Motion for Postconviction Relief was referred to a Superior Court Commissioner pursuant to 10 *Del. C.* §512(b) and Superior Court Criminal Rule 62 for proposed findings of fact and conclusions of law.

4. The Commissioner issued the Report and Recommendation on November 20, 2009 recommending that Defendant's *Pro Se* Motion for Postconviction Relief be summarily dismissed. No objections to the Report have been filed.

**NOW THEREFORE**, for the reasons stated in the Commissioner's November 20, 2009 Report and Recommendation that Defendant's *Pro Se* Motion for Postconviction Relief should be Dismissed,

**IT IS ORDERED** this 6<sup>th</sup> day of January, 2010 that the Commissioner's Report, including its Recommendation, is adopted by the Court. Defendant's Motion for Postconviction Relief is **DISMISSED**.

/s/ Mary M. Johnston  
The Honorable Mary M. Johnston